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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRICKLAYERS AND ALLIED CRAFTWORKERS	)	CASE NO.: C 08-03473 EDL
LOCAL UNION NO. 3, AFL-CIO;	)	
TRUSTEES OF THE NORTHERN CALIFORNIA	)	NOTICE OF VOLUNTARY
TILE INDUSTRY PENSION TRUST; TRUSTEES	)	DISMISSAL
OF THE NORTHERN CALIFORNIA TILE	)	
INDUSTRY HEALTH AND WELFARE TRUST FUND;	)	
TRUSTEES OF THE NORTHERN CALIFORNIA	)	
TILE INDUSTRY APPRENTICESHIP AND	)	
TRAINING TRUST FUND; TILE INDUSTRY	)	
PROMOTION FUND OF NORTHERN CALIFORNIA,	)	
INC., a not-for-profit California	)	
corporation; TILE EMPLOYERS CONTRACT	)	
ADMINISTRATION FUND; TRUSTEES OF THE	)	
INTERNATIONAL UNION OF BRICKLAYERS AND	)	
ALLIED CRAFTWORKERS PENSION FUND,	)	

Plaintiffs,

vs.

JOHN LONEY PALOMINO, as an individual  
 and doing business as "L R F Resinous  
 Flooring"; AMERICAN CONTRACTORS  
 INDEMNITY COMPANY, a California  
 corporation,

Defendants.

Pursuant to FRCivP 41(a)(1), Plaintiffs hereby request the  
 dismissal, without prejudice, of the entire action.

Dated: August 22, 2008

/S/ Kimberly A. Hancock  
 Katzenbach and Khtikian  
 Kimberly A. Hancock  
 Attorney for Plaintiffs

PROOF OF SERVICE

I declare that I am employed in the County of San Francisco, State of California. I am over the age of eighteen years and not a party to the within cause; my business address is 1714 Stockton Street, Suite 300, San Francisco, California, 94133-2930 and I am readily familiar with the practice of this office for the collection and processing of correspondence for mailing with the United State Postal Service, overnight delivery services and messenger services, and that such correspondence would be deposited with the United States Postal Service, with an overnight delivery service or with a messenger service on the same day in the ordinary course of business.

On August 22, 2008, I served a true copy of the following document(s) described as:

**NOTICE OF VOLUNTARY DISMISSAL**

xx (BY MAIL) By sealing the foregoing document(s) in envelope(s) with first-class postage thereon fully prepaid addressed to the persons shown below, and placing such envelope(s) for collection and mailing on this date following the office's ordinary business practices for deposit with the United States Postal Service at San Francisco, California.

\_\_\_ (BY FACSIMILE), by transmitting the said document(s) via facsimile to the number(s) shown below.

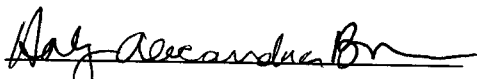
\_\_\_ (BY OVERNIGHT DELIVERY), By sealing the foregoing document(s) in envelope(s), delivery fees provided for, and placing such envelop(s) for collection on this date following the office's ordinary business practices for deliver to an authorized driver or other facility maintained by the express delivery service for delivery by the next business day to the addressee(s) shown below.

\_\_\_ (VIA MESSENGER SERVICE), By sealing the foregoing document(s) in envelope(s), delivery fees provided for, and placing such envelop(s) for collection on this date following the office's ordinary business practices for deliver to an authorized driver or other facility maintained by a messenger service for delivery on this date to the addressee(s) shown below.

John Loney Palomino  
9914 Kent Street, #5  
Elk Grove, CA 95624

American Contractors Indemnity  
Company  
9841 Airport Blvd. 9<sup>th</sup> Floor  
Las Angeles, CA 90045

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct. Executed on August 22, 2008, at San Francisco, California.

  
Haley Alexandra Brown